

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MARLIN JOHNSON, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

ORGANO GOLD INT'L, INC., et al.,

Defendants.

Civil Case No. 1:15-cv-00390-LPS

**DEFENDANT ORGANO GOLD INT'L, INC.'S
MOTION TO DISMISS AND TO STRIKE CLASS ALLEGATIONS**

Pursuant to Federal Rules of Civil Procedure 9(b), 12(b)(6), and 12(f), Defendant Organo Gold Int'l, Inc. ("Organo") hereby moves to dismiss all of Plaintiff Marlin Johnson's claims and to strike the Complaint's class action allegations. In support of this Motion, Organo relies on the accompanying opening brief and exhibit.

Dated: January 11, 2016

Respectfully submitted,

/s/ Colm F. Connolly

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